standing up elections, running elections, and certifying their own elections. It is of the people, by the people, for the people that this process is carried out in each and every one of our counties. And you know what, that is how it is supposed to be.

Article I, section 4 of our Constitution clearly states—here it is:

Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof.

Well, how about that? The Constitution delegates that authority to the State legislatures, and that is why our States' secretaries of state work with our counties to make certain the process is put in place.

You know, I had the opportunity to serve on my county's local election commission prior to my being in elective office. One person, one vote—that is the No. 1 rule that guided the decisions they made. When we recruit poll workers, it is the No. 1 concern that drives people to go sign up. When we train the volunteers who are staffing polling places, it is the No. 1 rule to teach. Every person gets one vote. All legally cast votes are counted. That is the way it is supposed to work—one person, one vote.

Here in the Senate, I am concerned that my Democratic colleagues have forgotten about this rule. Why else would they once again pledge to move a piece of legislation that would throw ''one person, one vote'' out the window? Many of my Republican colleagues have taken to calling H.R. 1 or S. 1 the Politician Protection Act or the For the Politician Act, and I will have to agree that is a fairly apt description.

There are a lot of problems with this bill, but I want to focus on a few key provisions that will gut ''one person, one vote'' and destroy confidence in our elections.

If this bill passes, say goodbye to meaningful voter ID laws. My Democratic colleagues kept the idea of these requirements intact, but to please their radical base, they added a loophole that would force every single jurisdiction to accept affidavits in lieu of identification—that is right, an affidavit. They may as well have banned voter IDs because that loophole makes requirements that voters prove they are who they say they are absolutely meaningless. They can just sign a statement saying ''I am who I say I am'' without having to show proof.

The bill also requires States to allow paid campaign operatives to engage in ballot harvesting schemes. That is right. This allows your paid campaign operatives to engage in ballot harvesting schemes. Now, these ballot harvesting schemes have been proven time and again to increase the risk of fraud, so much so that many States on their own moved forward and banned ballot harvesting schemes. Why did they ban this? Because it leads to fraud in elections.

Inexplicably, my colleagues also want to throw ballot drop boxes into the mix. They pitched them as a convenience, but that convenience will be nearly impossible to monitor and to protect 24 hours a day, which means that it will be nearly impossible to monitor and protect the ballots that are inside those boxes, and these boxes then become a fairly convenient way to stuff the ballot box.

But perhaps the most dangerous, counterproductive, and outright infuriating provision my Democratic colleagues have included in this mess of a bill is a restriction against voter roll maintenance. Anyone with a bit of common sense knows how inaccurate or duplicate entries in a dataset can add up. That leaves these datasets in a state of disrepair, and that is how fraud and mistakes occur.

It is just one more provision in a bill raising red flags for local officials in every single State in this country. And this red flag, in particular, is prompting people to ask me if my Democratic colleagues involved in drafting this bill have ever actually volunteered at a local polling place, which really tells you a lot about how shortsighted this legislation is.

This bill really doesn't have anything to do with voting rights. This is a politically motivated Federal takeover of elections that would give us the exact opposite of what is laid out in the Constitution.

The Founders—the Founders—granted the States power over their own elections for a reason. The Federal Government is beyond incompetent to get this job done. If you like the service you get from the IRS or the EPA or OSHA, that is what you could expect the next time your community has an election.

If we allow this bill to pass, the promise of one person, one vote will crumble. The promise of counting eligible ballots and not counting ineligible ballots would go by the wayside. And what do you get in exchange? The promise of chaos, confusion, and a lack of confidence in the integrity of the vote.

TRIBUTE TO CHUCK FLINT

Madam President, the time has come for Team Blackburn to say goodbye to our fearless leader and current chief of staff, Chuck Flint.

Chuck first joined my team in the House as a member of our legislative staff. He was eager to prove himself capable and well versed on our legislative issues, and I will tell you, he succeeded. In the 7 years since he first walked through my office door, he has grown into one of the finest office chiefs of staff I have seen on the Hill and one of the finest political strategists here on Capitol Hill, one of my most trusted advisers, and, I will add, the most enthusiastic softball player on Team Whiskey Business—the most enthusiastic I think we have ever fielded.

I wish Chuck, Jessica, and little Everett all the hope and happiness in the world as they embark on their next beautiful adventure together.

We will miss him tremendously, but no matter how far they travel, they will always have a home with Team Blackburn and in service to the Volunteer State.

I yield the floor.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 149, Christopher Charles Fonzone, of Pennsylvania, to be General Counsel of the Office of the Director of National Intelligence.

Charles E. Schumer, Robert Menendez, Tina Smith, Martin Heinrich, Jacky Rosen, Sheldon Whitehouse, Richard J. Durbin, Tammy Baldwin, Debbie Stabenow, Sherrod Brown, Edward J. Markey, Brian Schatz, Ron Wyden, Elizabeth Warren, Mark R. Warner, Raphael Warnock, Benjamin L. Cardin.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Christopher Charles Fonzone, of Pennsylvania, to be General Counsel of the Office of the Director of National Intelligence, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from Ohio (Mr. BROWN) and the Senator from Pennsylvania (Mr. CASEY), are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Indiana (Mr. BRAUN), the Senator from North Dakota (Mr. CRAMER), the Senator from Montana (Mr. DAINES), the Senator from North Dakota (Mr. HOEVEN), the Senator from Oklahoma (Mr. INHOFE), the Senator from Kentucky (Mr. PAUL), the Senator from Idaho (Mr. RISCH), the Senator from South Dakota (Mr. ROUNDS), the Senator from Nebraska (Mr. SASSE), and the Senator from Indiana (Mr. YOUNG).

Further, if present and voting, the Senator from North Dakota (Mr. HOEVEN) would have voted ''nay'', and the Senator from Indiana (Mr. YOUNG) would have voted ''nay.''

The yeas and nays resulted—yeas 52, nays 35, as follows:

[Rollcall Vote No. 242 Ex.]

YEAS—52

Baldwin	Cantwell	Cornyn
Bennet	Cardin	Cortez Masto
Blumenthal	Carper	Duckworth
Blunt	Collins	Durbin
Burr	Coons	Feinstein

Gillibrand	Menendez	Shaheen
Hassan	Merkley	Sinema
Heinrich	Murkowski	Smith
Hickenlooper	Murphy	Stabenow
Hirono	Murray	Tester
Kaine	Ossoff	Van Hollen
Kelly	Padilla	Warner
King	Peters	Warnock
Klobuchar	Reed	Warren
Leahy	Rosen	Whitehouse
Luján	Sanders	Wyden
Manchin	Schatz	
Markey	Schumer	

NAYS—35

Barrasso	Hagerty	Romney
Blackburn	Hawley	Rubio
Boozman	Hyde-Smith	Scott (FL)
Capito	Johnson	Scott (SC)
Cassidy	Kennedy	Shelby
Cotton	Lankford	Sullivan
Crapo	Lee	Thune
Cruz	Lummis	Tillis
Ernst	Marshall	Toomey
Fischer	McConnell	Tuberville
Graham	Moran	Wicker
Grassley	Portman	

NOT VOTING—13

Booker	Daines	Rounds
Braun	Hoeven	Sasse
Brown	Inhofe	Young
Casey	Paul	
Cramer	Risch	

The PRESIDING OFFICER (Mr. HEINRICH). On this vote, the yeas are 52, the nays are 35.

The motion is agreed to.

The Senator from New York.

UNANIMOUS CONSENT REQUEST—S. 1520

Mrs. GILLIBRAND. Mr. President, as if in legislative session, I ask unanimous consent that at a time to be determined by the majority leader in consultation with the Republican leader, the Senate Armed Services Committee be discharged from further consideration of S. 1520 and the Senate proceed to its consideration; that there be 2 hours for debate, equally divided in the usual form; and that upon the use or yielding back of that time, the Senate vote on the bill with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Rhode Island.

Mr. REED. Mr. President, reserving the right to object, I object for the reason I previously stated. I want to thank the Senator for the courtesy of presenting the unanimous consent immediately. I appreciate that very much.

I am the first chairman to endorse the type of changes the Senator from New York has proposed as they apply to sex-related offenses under the UCMJ. It is my intent to include the administration's proposals in the base markup of the Defense bill next month, subject to amendments. And I anticipate numerous amendments being offered by Members on both sides of the aisle. Further, as I have already committed, the committee will consider these proposals to include a vote on them, in committee, if that is what any Senator desires. That is, in fact, the tradition of the committee. If a member wants a vote on an amendment, we will vote.

I would note that, according to committee records, there has not been a vote on this proposal in the committee since 2013, 8 years ago, and has not even been introduced as an amendment in committee since that time.

I look forward to having this debate when the committee meets to mark up the fiscal year 2022 Defense bill.

With that, I would reiterate my objection and again thank the Senator for her willingness to introduce the unanimous consent initially.

The PRESIDING OFFICER. Objection is heard.

Mrs. GILLIBRAND. Mr. President, it is very kind the chairman notes that the last time we got a vote in committee was 2013. We have been asking for a vote on this for the last 8 years, asking for the last 5 years to get a floor vote and been denied. This bill has been routinely and roundly filibustered and opposed by the chairman and the ranking member for the entire 8 years that I have been working on this bill. And this bicameral bill, that has 66 Senate cosponsors, should not be relegated by a committee that will communicate with the DOD behind the scenes. That is what they do. That is what they have been doing.

This is not a bill related to a technical aspect of warfighting that would benefit from the expertise found within the DOD. It is a check on the commander's power that has allowed a culture to flourish, where two and three victims do not feel comfortable coming forward to report their assault and 64 percent—a number that is stubbornly unchanged—experience retaliation when they do come forward. Moreover, a majority of the Members already cosponsor this bill so it is unclear what expertise the committee will add. It will only create an opportunity for the DOD to water down this much needed reform.

As a military law expert, Brenner Fissell wrote today in The Hill, ''An institution with the power to kill people and topple governments should not resist our elected Senators' clear will, cheering as a procedural loophole allows a small minority to prevent popular forms from being implemented.''

Mr. President, this is the 12th time that I have risen to ask for unanimous consent for a very simple reason: The Military Justice Improvement and Increasing Prevention Act deserves a vote. The people in the military deserve a military justice system worthy of their sacrifice.

We don't have time to delay. Every day that we delay a vote on this, more servicemembers are being sexually assaulted and raped.

I started this request for unanimous consent 28 days ago. Since then, an estimated 1,568 servicemembers have been raped or sexually assaulted. More will have been victims of other serious crimes, and most of them will feel that there is no point in even reporting the crime because they have no faith in the current military justice system. That system asks commanders, not lawyers, to decide whether cases go forward. The lack of faith is understandable. Less than 1 in 10 sexual assault cases that are considered for command action are actually sent to trial, and just a small fraction of those end in conviction.

In the 8 years that we have been fighting for this reform, further fault lines in the military justice system have been made evident, including deeply troubling racial disparities. It is a disappointment that the chairman is not here to hear this information himself.

In 2017, a report found Black servicemembers were as much as 2.61 times more likely to have disciplinary action taken against them as their White counterparts. In 2019, the GAO found Black and Hispanic servicemembers were more likely than White servicemembers to be subjected to criminal investigation and to face general and special courts-martial. Those statics show a clear and pressing need to address what appears to be inherent bias in the current command-controlled system.

To provide our servicemembers with real justice, we must move all serious crimes out of the chain of command. This bill will do that by making a simple but critical change to the way the military justice system handles serious crime. It streamlines how cases move forward. Instead of commanders, who have zero formal legal training, making the decision to prefer or refer cases to trial, this bill gives those legal decisions to highly trained, impartial, professional military justice lawyers. It allows the commander to continue to work hand in hand with judge advocates to implement good order and discipline in their unit.

The bill really comes down to one thing: Is there enough evidence to move this case forward? We should not put that responsibility on commanders, who often know both the accused and the accuser and do not have legalized training to be able to make these decisions properly. When it comes to serious crimes that can lead to long, more-than-a-year sentences, that decision should be made by a legal expert.

That is the change the bill would make. It is tailored, it is simple, and it is an elegant solution to meet a very real problem. Commanders still have lots of power. They have the ability to enact nonjudicial punishment, which allows them to set the tone for their troops and maintain good order and discipline. They will still have the ability to put people on restriction and in confinement. They still have the ability to issue protective orders. These are the basic tools that commanders rely on to implement good order and discipline, not general courts-martial.

If a serious crime is not preferred and then referred by the JAG convening authority, it goes right back to the commander, who can choose to do several things. He can do nothing. He can carry out nonjudicial punishment or administrative separation. He can pursue summary or special court-martial.

However, this change, despite its simplicity and despite being a very small change, will create a seismic shift in how the military justice system is perceived by both servicemembers who have been subjected to sexual assault and by Black and Brown servicemembers who have been subjected to bias.

We need a professionalized military justice system so that everyone, from survivors to defendants, can have more trust in the current process—a process that is based on evidence and legal facts and that cases will be decided impartially. That is the system our servicemembers deserve and is the system that we create by the Military Justice Improvement and Increasing Prevention Act.

We have tried every small ball effort you can imagine. The Presiding Officer has been on that committee for years. You watched us pass every type of reform that the DOD is OK with. This is the one they have fought tooth and nail to prevent implementation of, and even today, our chairman wants to narrow it down and reduce it to a very small size—one crime, one crime only.

Well, let's just look at the facts. The Vanessa Guillen case was a murder case. Under the chairman's own analysis, he would not have allowed that case to go forward through the review of a special, trained military prosecutor. In fact, her case may never have seen the light of day. That is a problem. So we need to treat all serious crimes the same.

We have compromised on this bill. We carved out all the serious crimes that are military in nature—going AWOL, not following a direct command, anything that the commander would have a special purview over—but we draw a bright line at the rest of those serious crimes, and that is a good solution. It is what our allies have already done—UK, Israel, Canada, Germany, Netherlands, Australia—and they saw no diminution in command control.

We need to build a military justice system that is worthy of the sacrifices that the men and women in our armed services make every day.

I yield the floor to the Senator from Iowa.

Mr. GRASSLEY. Thank you, Senator GILLIBRAND.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. I think we just heard the Senator from New York speak very strongly about the need for this legislation. She said 12 times she has come to the Senate floor to ask for UC on this bill. So we all ought to know—not only on this bill but a lot of things the Senator from New York is involved in—she is not going to give up. Eight years on this bill proves that, her persistence.

We need to get this done. I would think that a bill that has 66 cosponsors and the demonstrated need for it is such that the people opposing this would be embarrassed, particularly with the 66 cosponsors.

I thank Senator GILLIBRAND for her persistence. I am glad to be with her on this subject. I haven't worked as hard as she has, but I believe everything she has said, and this bill should pass.

In the last 15 years, there has been virtually no progress in reducing the level of sexual assault in the military. Far too many service men and women have experienced sexual assault, and we don't even know the full extent of the problem because people are afraid to report these because of the retribution that happens as a result of the report. Of those who do report, 64 percent experience retaliation.

But this goes beyond sexual assault. This legislation professionalizes the military justice system and would improve trust and transparency in the ability of the military to handle all serious crimes. The policy of moving the decision to prosecute out of the chain of command has been recommended by military justice experts.

This bill has been considered by the Armed Services Committee for 8 years in a row, and that is why the time has come now to make sure that this bill does not get buried once again in that committee or, as she suggested, very narrowly—the committee has had more than enough time to review the legislation and propose alternatives. We have even heard from the Department of Defense that they can solve this problem, and yet it keeps getting worse.

This bill with so many cosponsors deserves the support and shouldn't have to wait any longer to get passed. It is time for the legislation to finally move forward, and I urge my colleagues to join in this effort to get this done the easiest way possible, and that would be by UC.

I yield the floor.

Mrs. GILLIBRAND. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. GRAHAM. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from South Carolina.

Mr. GRAHAM. Mr. President, I have been listening today and a few other days, I think, about Senator GILLIBRAND's efforts to bring up what I think is a major reform of the military justice system to the point where you won't recognize it as it is today. I hope you understand what we are being asked to do here. Senator REED, who is the chairman of the committee, has been objecting.

Before I got here, I was a military lawyer and Active Duty in the Reserves for about 33 years. I was a prosecutor, defense attorney, and judge.

What I would like to challenge this body to do is find me cases where the judge advocate has recommended prosecution in a sexual assault case in the last 8 years and the commander refused to go forward. I was in the military JAG Corps for 33 years. I can only remember one time where that was even an issue.

Previous efforts to reform the system work like the following: If the JAG recommends prosecution in a sexual assault case as defined in the last piece of legislation and they refuse to go forward, it is taken to the commander's commander. So what problem are we trying to solve here?

What we are doing in this bill is relieving the chain of command when it comes to military justice. If the commander no longer is concerned about sexual assaults in the barracks, we made a huge mistake. The heart and soul of the military justice system is to provide a fair trial to the accused, take care of victims, but give the commander the tools they need for good order and discipline.

So the idea of taking the commander out of the chain of command when it comes to terrible things like sexual assault I think is a bad idea because it is the commander's job to make sure that unit works well. Having a bunch of professional prosecutors make the decision without the commander being involved is basically relieving the commander of what is best for that unit overall.

Sexual assault is a problem in the military. It is a problem in the civilian world. It is a problem all over the place. But the military justice system is designed to bring about good order and discipline.

I can only say that the day that the commander is taken out of the responsibility for what happens in that unit is a bad day for good order and discipline and I think a bad day for that unit.

Again, the legal advice given to commanders in cases like we are talking about is almost universally followed. There have probably been more occasions where a commander will take an iffy case to court just to make the point—cases that would never probably get off first base in the civilian world.

But the people pushing this bill always talk about results and courts-martial. I think the worst thing the U.S. Senate could do is create an impression that a not-guilty verdict is unacceptable in the military. Sometimes a not-guilty verdict is the right answer to the situation presented to the court. I am beginning to doubt whether or not you can get a fair trial in the military if you are accused of one of these crimes.

When politicians attack results in the system, we are sending a pretty clear signal: If you are a court-martial panel member, we are going to be grading your homework here in the Senate, because there seems to be a bias that the only outcome must be a guilty verdict.

The truth of the matter is that a lot of women go to their graves having

been assaulted and never having reported the events to anybody. We need to make it easier for victims to come forward. On occasion, people are accused of things they didn't do, and I have been involved in many of these cases. On occasion, you will find that the accusation doesn't hold water—not sufficient to be anywhere near being beyond a reasonable doubt—and sometimes people say things that are just flat not true.

So what I worry about is that, in our effort to reform the system to solve a problem that really doesn't exist—commanders ignoring the JAGs and not prosecuting people because they like them or they have favoritism is not a problem. If you want to talk about reforming the military justice system, fine, but let's don't stand here in the U.S. Senate and say that commanders in the military routinely turn down legal advice to prosecute. They don't. That is just not true. In the military, in a general court-martial, you need three-fourths to convict.

If we are going to go down this track of talking about what an acceptable outcome should be, then I am going to start introducing legislation to change the requirement of the verdict to be unanimous. I was a prosecutor for 4½ years and a defense attorney for 2. I understand sort of the military courtroom environment.

The panel members—the members of the jury—are commissioned officers or you can request noncommissioned officers, and the accused has that right up to a certain percentage of the panel. These panels are constructed not like a civilian court; they are constructed to make sure that the jury usually comes from the officer corps, and people with the responsibility for that base are picked to serve on these juries to make sure that the base is being well run, that people receive justice who have been violated, and that those accused of a crime have a fair trial. The worst thing that can happen is when a commander seems to have favorites and the people he likes get away with almost anything and the people the commander doesn't like—well, they look for reasons to come down hard on them.

When I was a young JAG, I would go talk to commanders and first sergeants. The worst thing you can do to a unit is play favorites. Call them as you see them. You need to show up in the middle of the night in the barracks—the commander and first sergeant—when they least think you are going to come, and just let people know you are watching them. Most enlisted people are 18 to 22 years old, and it is their first time away from home.

We have made some strides that I think are good. We provide victims of sexual assault in the military with their own individual counsel. Most people don't get that in the civilian world. We are trying to train prosecutors on how to handle these cases, and I like that. Yet, if we are going to start creating a presumption here—contrary to being innocent—that there is only one right answer, then we need to start training a bunch of defense attorneys and have a specialty there. The worst thing that could happen in a military unit is for somebody to be assaulted and to be treated poorly, and nothing happens. Second to that is for somebody to be accused of something that is seen as being not legitimate. That is why you have trials. That is why you have defense attorneys. That is why you have judges. That is why you have prosecutors.

The thing that is unique about the military is that it is not a jury of your peers. The jury is made up of the officer corps on that base who has the responsibility, usually, to run the base. You can request, as an enlisted member, that part of the panel be enlisted, but they are going to be the more senior ranks on the base. They are not going to be E–3s and E–4s. They are going to be E–8s and E–9s. They are going to be the senior enlisted corps, who is responsible for good order and discipline and morale on the base. That is what is unique about the military justice system.

I found, as a defense attorney, that people look long and hard at the government's case. I will talk later on about some cases I had wherein people were accused of using drugs by urinalysis. The system was fatally flawed, and over time the military justice system got that right.

I just want Senator REED to know that, on slowing this train down and getting the Members of this body to understand what we are talking about, I will support him more. I should be down here talking more. Like everybody else, we are busy. I promise to come down more to give my side of what we should be thinking about in terms of reform and why what is before us is not reform; it is a radical change to the military justice system based on, I think, a premise that doesn't exist.

The one thing I want you to know is there are a handful of cases a year in the Army, the Air Force, the Marine Corps, and the Navy on which the commander refuses to go forward after the JAGs have recommended a court-martial in sexual assault cases. That is what we are all supposed to be worried about—that the system is biased against victims. What can we do to make it easier to report these situations? What can we do to convince people that the command is not going to turn on you if you are a victim? These are all legitimate things, but to fire the entire chain of command based on a premise that, I think, doesn't hold water would be bad and would, over time, undercut the military's ability to maintain good order and discipline and to be an effective fighting force.

Senator REED is the chairman of the committee, and I will try to do more to help him. I respect Senator GILLIBRAND a lot, and she is very passionate about this. All I can say is that passion and justice have to be measured, and we have to be making decisions based on facts, not just on an outcome that we would like. When we start talking about a case wherein somebody was acquitted and as if that was the wrong result, that scares the hell out of me.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SULLIVAN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. SMITH). Without objection, it is so ordered.

NOMINATION OF TRACY STONE-MANNING

Mr. SULLIVAN. Madam President, I am here on the Senate floor this afternoon to call on President Biden to withdraw his nomination to lead the Bureau of Land Management, Tracy Stone-Manning. He should withdraw her for the reasons I am going to talk about here on the Senate floor, but let me stipulate that, while I have often spoken about what I consider far-left extremist environmentalists who are taking over many elements of the Biden administration, often in the context of why I voted against their confirmation, I have not yet called on—haven't in my entire Senate career—a nomination to be withdrawn before they even have gone through their Senate confirmation hearing before a Senate committee. But I am doing it this afternoon.

The reason I have never done this before is because we have not yet confronted someone with Tracy Stone-Manning's past, which involves being a member, part of an extreme group that performed violent acts as part of their platform for getting attention in America—violence, a group engaging in overt ecoterrorism.

By the way, this is becoming a bipartisan issue—a serious bipartisan issue—as I am going to talk about in a little bit more detail.

The Director of BLM from the Obama-Biden administration just yesterday made a statement saying that, if these allegations are true, which they are, then, he firmly believes that her nomination should be withdrawn by the President. That is Mr. Bob Abbey. So this is a serious issue, and it is a bipartisan issue.

Before I talk about Tracy Stone-Manning's involvement with ecoterrorism, let me start by saying that BLM is an incredibly important and very powerful Federal Agency, particularly as it relates to my State, the great State of Alaska. The Alaska BLM manages more surface and subsurface acres in my State than in any other State in the country, by far. In fact, I haven't done the math, but I believe that they manage more acreage in Alaska than they do in the rest of the lower 48 combined. That is how important BLM is in my State.

Let me give you some of the numbers. This includes over 70 million surface acres of land and 220 million subsurface acres. That is the land equivalent to about one-fifth of the entire lower 48 States. Most States can't even comprehend that size. One-fifth of the lower 48 of the United States of America is the amount of land BLM manages just in the great State of Alaska. So it is a huge amount of land and, of course, by definition, it is a huge amount of power that this Federal Agency has over my State and the people I am honored to represent.

And it is imperative—imperative—for the Director of this Agency, the Bureau of Land Management, with so much power and so much control over my State and its future in economic opportunity for working Alaskan families—that the manager of BLM for the country be trustworthy—to be honest, to be fairminded, to be beyond reproach, and, certainly, not to have been involved in an organization that perpetuated violence against its fellow Americans.

And from what we know about Tracy Stone-Manning, she is none of these things—trustworthy, honest, and fairminded.

That this administration is full of people with far-left agendas certainly isn't surprising. We all know that the national Democratic Party is much further to the left than they were even 4 years ago with the Obama-Biden administration. But what is shocking beyond surprising is that the President of the United States would put forward someone for this incredibly important position in BLM who is not only far left but a member of a group that was an ecoterrorist organization, a group that was undertaking violence against their fellow Americans so they could make a point on environmental issues in America.

This is not an exaggeration. Tracy Stone-Manning was a member of Earth First!, a radical, far-left group that has engaged repeatedly in what is defined as ecoterrorism.

But she wasn't just a member of Earth First!; she herself was complicit in putting metal spikes—big, thick ones—in trees that were meant to either threaten to hurt or gravely injure those Americans who were harvesting trees, who were cutting down trees legally, who were putting trees in saw mills legally.

This was a common technique—tree spiking—deployed by such ecoterrorists in the late 1980s and early 1990s.

Earth First! called such tactics ''monkey wrenching.'' That is kind of cute. It is dangerous. It could kill people—''monkey wrenching.''

Logging crews and the Americans who were legally harvesting timber in our country might have called such tactics terrifying, and certainly called such tactics very, very dangerous.

So let me briefly talk about the group that Tracy Stone-Manning was a member of. Earth First! began in 1980 by disaffected environmentalists who thought the movement wasn't radical enough, thought the movement wasn't getting enough attention. So they founded a new group that wanted to get more attention, sometimes by perpetuating violence. Among its proposed founding principles, ''all human decisions should consider Earth first, mankind second''—I am quoting now—''mankind second.'' OK. Not sure many U.S. Senators would agree with that. And ''the only true test of morality is whether an action, individual, social or political, benefits the earth.'' These are founding principles of this organization.

Given these principles, it is no mystery that the group's slogan is this: ''No Compromise in Defense of Mother Earth.'' In their view, ''no compromise'' meant destroying property, putting steel spikes in trees that could kill someone trying to harvest a tree, and Earth First! celebrated and encouraged such actions.

The group even put out a manual—yes, a manual—detailing tree spiking and instructions on how to do other sabotage activities: cut down powerlines, flatten tires, burn machinery of those who were trying to harvest trees legally.

We harvest trees legally in Alaska. We have loggers who do that, who are from hard-working families.

David Foreman, the founder of Earth First!, talked about all of these activities, and he said: ''This is where the ecoteur can have fun.'' That is a quote from the founder of Earth First! ''Fun.'' That is what he called this—''fun.''

Tell that to those violently hurt by some of Earth First!'s tactics.

This is how an article in the Washington Post, from this time, described such an incident of tree spiking that severely, violently hurt one of our fellow Americans. And now I am going to quote from this article:

> George Alexander, a third-generation mill worker, was just starting his shift at the Louisiana-Pacific lumber mill in Cloverdale, Calif., when the log that would alter his life rolled down his conveyor belt toward a high-speed saw he was working on.

By the way, I have seen these saws in Alaska, in mills in Alaska. They are huge. This isn't just some kind of tiny saw. They are gigantic, and they spin at incredibly fast speeds with huge teeth. They are dangerous, even when you are operating without tree spikes in the trees.

Let me continue. Here is the continuation of this article from the Washington Post: It was May 1987, and George Alexander was 23 years old. His job was to split logs. He was nearly 3 feet away when the log he was working on hit his saw, and the saw, this giant saw, exploded. One-half of the blade stuck in the log. The other half hit Alexander in the head—again, these are giant saws—tearing through his safety helmet and tearing through his face shield. His face was slashed from eye to chin, his teeth were smashed, and his jaw was cut in half.

That is what Earth First! did to this young American doing his job with a tree spike in it.

I am continuing with the Washington Post article: George Alexander had never even heard of a sabotage tactic called tree spiking until he himself had become a victim of ''eco-terrorism.''

That is the Washington Post's word, not my word, ''eco-terrorism.''

> Someone who objected to tree cutting had imbedded a huge steel spike in the log that violently jammed the saw.

And changed George Alexander's life. Tree spiking.

That is the Washington Post.

These were the kinds of tactics that Tracy Stone-Manning, the Biden administration's choice to lead the BLM for America, once conspired in. Does that disturb you, America?

Every U.S. Senator on the floor here in this body should be very, very disturbed.

Mr. President—and now I am talking to the President of the United States—think about this, sir. I say respectfully: Come on, man. This is the most qualified American citizen you can find to be the BLM Director?

She was part of a group—not just a radical, extreme environmental group but a radical, extreme, violent, environmental group.

President Biden, this should be a redline that we all agree to: no nominees who conducted violence against their fellow Americans.

But what did she do specifically? The Biden administration's Director of BLM—nominated Director of BLM—here is what she did. In 1989, she did a friend, a fellow Earth First! colleague—''comrade'' maybe is a better word—she did a friend, a comrade, a fellow comrade a favor. She rewrote word-for-word a profane, anonymous letter from this member of Earth First! about the 500 pounds of tree spikes that Earth First! had hammered into trees in Idaho—by Earth First! Pretty dangerous. Pretty violent. She rewrote the letter on a rented typewriter because, she later told a reporter, ''her fingerprints were all over'' it. So she knew she was obviously involved in criminal activity. So she didn't just handwrite it. She didn't want her fingerprints on it. She typed it. She then sent the letter to the FBI.

She kept quiet on what she did for years—that was in 1989—until she came forward in 1993 and received immunity for her part in this tree spiking in Idaho, 500 pounds of spikes. This is a serious operation. Deadly. Could be deadly. She received immunity for her part in this tree spiking when prosecutors went after the other members of Earth First! and she testified about it.

Here is something that should be very simple for all of us. No matter how young, no matter how naive, the Director of the Bureau of Land Management for the United States of

America should not—and I repeat, should not—have ever been involved in ecoterrorism. That is simply unacceptable, and the President of the United States should get that, and certainly every U.S. Senator should get that.

Working with people who were so radical on environmental issues that they thought it was OK to perpetuate violence against their fellow American citizens—come on, man.

President Biden, you cannot be serious.

It is not only me who thinks this is an outrage. I want to compliment my Senate colleague Senator BARRASSO, who has been doing a great job. Unfortunately, our press has been asleep at the switch. Senator BARRASSO has been doing a great job of highlighting these very issues. But, as I said earlier, this is now becoming a bipartisan issue. It is not just me and Senator BARRASSO who have been raising this issue. Just yesterday, Bob Abbey, who led the BLM from 2009 through 2012 under President Obama and Vice President Biden, said the following:

If the reports regarding Ms. Stone-Manning's involvement with spiking trees are true, then I firmly believe she should immediately withdraw her name from further consideration for the BLM director job.

Let me read that again. The BLM Director of the Biden-Obama administration just yesterday said the following:

If the reports regarding Ms. Stone-Manning's involvement with spiking trees are true, then I firmly believe she should immediately withdraw her name from further consideration for the BLM director job.

Well, guess what. The reports about her involvement with tree spiking by the ecoterrorist organization Earth First! meant to harm her fellow Americans are true. They are true.

Madam President, there are other issues that also call into question Ms. Stone-Manning's character. I am not going to get into these. I will let others focus on them—low interest loans, other things. That is in some ways, in my view, a distraction. Her involvement with an organization that was focused on ecoterrorism certainly disqualifies her, and the President of the United States should know this.

I didn't agree with Bob Abbey on much when he was the head of BLM under the Obama-Biden administration, but I certainly agree with him about Tracy Stone-Manning, and I believe the President of the United States should withdraw her name from further consideration. If the President doesn't do that because he gets pressure from the extreme left, then I certainly hope—I certainly hope—my colleagues here in the U.S. Senate, Democrats and Republicans, will resoundingly vote to reject this nomination when it comes to the Senate floor.

Yes, we have differences on issues of resource development, energy for America, certainly on issues of jobs and resource development in my great State, the great State of Alaska. We have differences. There is no doubt about it. But here is the thing: We all know—I think every one of us, all 100 Senators, know and would say publicly that these differences should be resolved peacefully in debates here on the Senate floor, at the ballot box, arguing these issues—forcefully, yes, but not violently, not with violence.

So if this nominee comes to this floor, it shouldn't be even a close vote; it should be 100 to 0 rejecting her.

To my Democratic colleagues, I hope you join me, like Mr. Bob Abbey, in saying: Mr. President, guess what—you screwed up here. Withdraw her.

But if he won't do that, I hope every U.S. Senator votes against this. We cannot condone, endorse, or vote for somebody who has been part of an ecoterrorist, radical, extreme, violent organization.

My colleagues, America will be watching. If you vote for her, you have to go home and explain that vote to your fellow Americans. As I mentioned, it is one thing for this administration to put forward far-left, extreme environmental nominees. It is quite another to put forward a far-left, extreme, violent environmental nominee, and that is what she is.

To the President of the United States: Respectfully, sir, you need to withdraw this nomination.

To my colleagues on the Senate floor here: Respectfully to all of you, if the President doesn't take this commonsense action, we need to decisively reject this nomination when it comes to the floor of the U.S. Senate.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL DAIRY MONTH

Mr. BOOZMAN. Madam President, I rise in support of S. Res. 268 and of our Nation's dairy farmers, processors, and consumers as we celebrate National Dairy Month.

This National Dairy Month is especially important. This time last year, the country was still shut down. The economy was in the middle of a major shock, and the dairy sector, like so many others, had to persevere. Dairy farmers bore the brunt of very low prices resulting from the COVID–19 pandemic. Dairy processors had to pivot their entire supply chain to meet new and unique demand for their products. While managing these challenges, dairy processors continue to address food insecurity caused by the pandemic by donating billions of dollars of nutritious milk, cheese, yogurt, and butter to needy Americans.

Despite unthinkable pressures, the industry continues to hold on. By no means are we out of the woods yet. Dairy farmers across the country continue to face pricing challenges. This National Dairy Month and every month, I encourage my fellow Members of the Senate and all Americans to keep these hard-working farm families in your mind and their products in your grocery basket.

Milk provides several essential nutrients and is the No. 1 source of calcium, potassium, and vitamin D for Americans. Yogurt and cheese are top sources of protein, magnesium, phosphorous, vitamins A and D, and calcium. And my personal favorite dairy product—ice cream—is a delicious, nutrient-dense treat that hits the spot during hot summer days in Arkansas.

National Dairy Month is a wonderful annual tradition highlighting an important sector and its contribution to the American economy and dinner plate. I want to thank Senators ROGER MARSHALL, KIRSTEN GILLIBRAND, and others for bringing this resolution to the Senate floor and for their steadfast service on behalf of U.S. agriculture.

THE REAL CHALLENGES OF RANCHING

Mr. BARRASSO. Madam President, I rise today to submit for the record a column written by Mr. Jim Magagna, executive vice president of the Wyoming Stock Growers Association, entitled ''Magagna: The Real Challenges of Ranching.'' The article was published on June 2 of this year.

I recently spoke at the 2021 Wyoming Cattle Industry Convention and Trade Show, ''Positioning Wyoming's Beef Industry for Success,'' hosted by the 149-year-old Wyoming Stock Growers Association in Sheridan. This convention focused on both the challenges and the opportunities that producers have before them. Jim says it best: Some of these are just simply challenging opportunities.

I urge my colleagues to stand with ranchers like Jim Magagna and the ranchers that he represents. Stand with those who understand the land best and not with extremists who do not know how to run a farm, a ranch, or a small business.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Ranching in Wyoming begins with a dedicated, often multi-generational, ranching family or a highly qualified dedicated ranch manager. Beyond this foundation, success on an annual basis is driven primarily by three factors—the weather, the markets and the government. When two of these are positive, most ranchers would describe their year as a ''success''. In that rare year when all three factors are particularly favorable, the seasoned rancher saves dollars in preparation for the inevitable bad year.